

**CHAPTER NO. 452**

**SENATE BILL NO. 2316**

**By Clabough**

**Substituted for: House Bill No. 2425**

**By Overbey, McCord, Patton, Walker, Hawk, Harry Brooks, Pleasant, Davis, Brenda Turner, Gresham, Towns, Russell Johnson**

AN ACT to amend Tennessee Code Annotated, Section 36-6-306, relative to grandparents' rights.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 36-6-306(a), is amended by deleting the word "or" at the end of subdivision (4); by deleting the period "." at the end of subdivision (5) and by substituting instead the punctuation and word "; or"; and by adding the following language as a new appropriately designated section:


(6) The child and the grandparent maintained a significant existing relationship for a period of twelve (12) months or more immediately preceding severance of the relationship, this relationship was severed by the parent or parents for reasons other than abuse or presence of a danger of substantial harm to the child, and severance of this relationship is likely to occasion substantial emotional harm to the child

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: March 11, 2004**

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

**APPROVED this 25<sup>th</sup> day of March 2004**

  
PHIL BREDESEN, GOVERNOR